

REMARKS

In the Office Action dated August 27, 2003, the Examiner has *finally rejected* claims 1-3, 6-10, 12, 13 and 17-24 pending in the present application on the basis of new ground(s) of rejection and newly cited art. By the present amendment, claims 1 and 10 have been amended. Accordingly, claims 1-3, 6-10, 12, 13 and 17-24 are pending in the present application. Applicant respectfully requests reconsideration and allowance of pending claims 1-3, 6-10, 12, 13 and 17-24 and withdrawal of the finality of the rejection of the Office Action dated August 27, 2003.

A good and sufficient reason why the present response is necessary and was not earlier presented is that an entirely new reference has been cited in the present final rejection dated August 27, 2003 (37 CFR 1.116(c)). The new reference is Boyd (USPN 2,922,211) (hereinafter “Boyd ‘211”) which is for the first time brought to applicant’s attention by means of the present *final rejection* dated August 27, 2003. The new reference, i.e., Boyd ‘211, was not cited in the present application prior to the instant final rejection. Since Boyd ‘211 is a primary reference upon which the Examiner has now relied, applicant believes that it would be manifestly unfair for the Patent Office not to consider applicant’s arguments which are necessitated due to the newly cited reference, Boyd ‘211 (37 CFR 1.116(c)), for considering applicant’s present amendment and response and withdrawing the finality of the present Office Action.

A. Rejection of Claims 1-3, 6-10, 12, 13 and 17-24 Under 35 USC §103

The Examiner has rejected claims 1-3, 6-10, 12, 13 and 17-24 under 35 USC §103(a) as being unpatentable over Boyd ‘211. Applicant respectfully disagrees; however, in order to expedite the prosecution of the present application, applicant has amended independent claims 1

and 10 to specify that the “fastener hole is a non-countersunk through-hole.” For the reasons that follow, applicant respectfully submits that claims 1-3, 6-10, 12, 13 and 17-24 are patentably distinguishable over Boyd ‘211.

As amended, independent claims 1 and 10 are directed to recessed fastener adapter device and system for recessing a fastener on a printed wire board (PWB) comprising a board interface for interfacing the adapter device with the PWB at a fastener hole, wherein the fastener hole is a non-countersunk through-hole, and wherein the board interface interfaces with the PWB at the fastener hole and includes a top surface. The device further includes a fastener head engaging surface for accepting and recessing a fastener head having a top surface, wherein the fastener head engaging surface engages a fastener head and recesses a fastener head, and wherein neither the top surface of the board interface nor the top surface of the fastener head protrudes from the PWB top surface. Independent claim 10 recites similar limitations. As explained in the present application, this arrangement “does not cause interference on the PCB, or causes interferences, the extent of which are less than the interferences that would be caused by not using the adapter or are acceptable to obtain the benefit of eliminating counter-sink holes” (emphasis added). Page 3, lines 11-14 of the present application. The recessed fastener adapter device and system of claims 1 and 10, therefore, address a number of problems present with known PCB fasteners.

In contrast, Boyd ‘211 discloses a quick fastener unit for connecting workpieces. Specifically, Boyd ‘211 discloses a “cowl fastener” (col. 1, ln. 19) including “a grommet 46 for snugly fitting within the workpiece apertures and absorbing shear stresses applied to the fastener.” Col. 2, lines 58-60 of Boyd ‘211. Grommet 46 is illustrated in Fig. 3 of Boyd ‘211, and is described as having “a flared head portion 48 adapted to seat within a countersunk portion 50 of the workpiece aperture 38” (emphasis added). Col. 2, lines 60-62 of Boyd ‘211. Thus, the

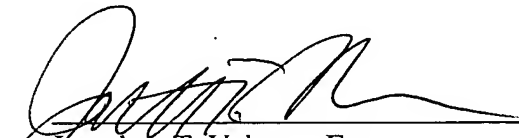
fastener of Boyd '211 is specifically adapted to connect workpieces which have countersunk holes, the very problem of which is addressed by the recessed fastener adapter device and system specified by claims 1 and 10. Boyd '211 thereby teaches away from the device of claim 1 and the system of claim 10. In sum, Boyd '211 fails to disclose or remotely suggest the recessed fastener adapter device and system specified by claims 1 and 10. Accordingly, applicant respectfully submits that the rejection of independent claim 1, and its corresponding dependent claims 2-3 and 6-9, and independent claim 10, and its corresponding dependent claims 12, 13 and 17-24, has been traversed, and that, therefore, claims 1-3, 6-10, 12, 13 and 17-24 should now be allowed.

B. Conclusion

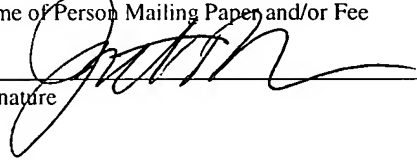
For all the foregoing reasons, withdrawal of the finality of the rejection of present Office Action and allowance of claims 1-3, 6-10, 12, 13 and 17-24 pending in the present application are respectfully requested.

Respectfully Submitted;

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